

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

JAMES CONTANT, *et al.*,

Plaintiffs,

v.

BANK OF AMERICA
CORPORATION, et al.,

Defendants.

No. 17-cv-3139-LGS

(related to No. 13-cv-7789-LGS)

**DECLARATION OF MICHAEL DELL'ANGELO IN SUPPORT OF PLAINTIFFS'
OPPOSITION TO MOVING DEFENDANTS'
MOTION TO DISMISS FOR LACK OF PERSONAL JURISDICTION**

Pursuant to 28 U.S.C. § 1746, I, Michael Dell' Angelo, declare as follows:

1. I am a partner in the law firm of Berger & Montague, P.C. My firm serves as attorneys of record for Plaintiffs in this matter.

2. I have been actively involved in prosecuting this action, am familiar with its proceedings, and have personal knowledge of the matters set forth herein. If called upon and sworn as a witness, I could competently testify thereto.

3. I submit this Declaration in support of Plaintiffs' Opposition to Motion to Dismiss Pursuant to Fed. R. Civ. P. 12(b)(2) by Moving Defendants.

4. Attached as Exhibit 1 is a true and correct copy of the FX Committee's Reporting Dealers webpage, available at <https://www.newyorkfed.org/fxc/volumesurvey/dealers.html>.

5. Attached as Exhibit 2 is a true and correct copy of the FX Committee's Past Members webpage, available at https://www.newyorkfed.org/fxc/members/members_past.html.

6. Attached as Exhibit 3 are excerpts from a true and correct copy of BTMU's December 31, 2013 Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks—FFIEC 002 for its New York Branch. The full report is available at https://www.ffiec.gov/nicpubweb/NICDataCache/FFIEC002/FFIEC002_444819_20131231.PDF.

7. Attached as Exhibit 4 are excerpts from a true and correct copy of SocGen's December 31, 2013 Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks—FFIEC 002 for its New York Branch. The full report is available at https://www.ffiec.gov/nicpubweb/NICDataCache/FFIEC002/FFIEC002_922111_20131231.PDF.

8. Attached as Exhibit 5 are excerpts from a true and correct copy of Standard Chartered's December 31, 2013 Report of Assets and Liabilities of U.S. Branches and Agencies

of Foreign Banks—FFIEC 002 for its New York Branch. The full report is available at https://www.ffiec.gov/nicpubweb/NICDataCache/FFIEC002/FFIEC002_34014_20131231.PDF.

9. Attached as Exhibit 6 are excerpts from a true and correct copy of UBS's December 31, 2013 Report of Assets and Liabilities of U.S. Branches and Agencies of Foreign Banks—FFIEC 002 for its New York Branch. The full report is available at https://www.ffiec.gov/nicpubweb/NICDataCache/FFIEC002/FFIEC002_925813_20131231.PDF.

10. Attached as Exhibit 7 is a true and correct copy of the Complaint and Affidavit in Support of Application for Arrest Warrants in the matter of *United States v. Mark Johnson and Stuart Scott*.

11. Attached as Exhibit 8 are excerpts from a true and correct copy of UBS's plea agreement. The full agreement is available at <https://www.justice.gov/file/440521/download>.

12. Attached as Exhibit 9 are excerpts from a true and correct copy of Barclays' plea agreement. The full agreement is available at <https://www.justice.gov/file/440481/download>.

13. Attached as Exhibit 10 are excerpts from a true and correct copy of RBS's plea agreement. The full agreement is available at <https://www.justice.gov/file/440496/download>.

14. Attached as Exhibit 11 are excerpts from a true and correct copy of HSBC's settlement agreement with the CFTC. The full agreement is available at <http://www.cftc.gov/ido/groups/public/@lrenforcementactions/documents/legalpleading/enfhsbcorder111114.pdf>.

15. Attached as Exhibit 12 are excerpts from a true and correct copy of RBS's settlement agreement with the CFTC. The full agreement is available at <http://www.cftc.gov/ido/groups/public/@lrenforcementactions/documents/legalpleading/enfroyalbankorder111114.pdf>.

16. Attached as Exhibit 13 are excerpts from a true and correct copy of UBS's settlement agreement with the CFTC. The full agreement is available at <http://www.cftc.gov/idx/groups/public/@lrenforcementactions/documents/legalpleading/enfubsorder111114.pdf>.

17. Attached as Exhibit 14 are excerpts from a true and correct copy of Barclays' Consent Order with the New York State Department of Financial Services. The full Order is available at <http://www.dfs.ny.gov/about/ea/ea150520.pdf>.

18. Attached as Exhibit 15 are excerpts from a true and correct copy of a Sentencing Memorandum filed in the matter of *United States v. Barclays PLC*, No. 15-cr-00077 (D. Conn.).

I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 27, 2017, in Philadelphia, PA.

/s/ Michael Dell' Angelo
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